REMARKS

Claims 1-3, 5-12, 14-26, 28 and 30-39 are pending, with claims 1, 10, and 19 being independent. Claims 1, 10, and 19 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Rejections Under 35 U.S.C. §112

Claims 1-3, 5-12 and 14-39 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly not meeting the enablement requirement. Applicants have obviated the rejections by amending independent claims 1, 10, and 19 to remove the feature of "the agent component is configured for a dynamically assigned address." Therefore, withdrawal of the rejection of all claims under 35 U.S.C. § 112, first paragraph is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1-3, 5-12, 14-26, 28 and 30-39 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,173,399 issued to Gilbrech et al. (hereinafter "Gilbrech") in view of U.S. Patent No. 6,178,455 issued to Schutte, et al. (hereinafter "Schutte"). This contention is respectfully traversed.

Initially, Schutte could not be operatively combined with Gilbrech. Schutte relates to cable routers or RF modems that reuse a set of IP addresses for assigning to hosts connected to them in a **cable data network** (*see, e.g.*, Col. 6, lines 29-35, stating that "components that are **intermittently active**, such as the RF modems and the hosts attached to them, having

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dynamically-assigned IP addresses that are **assigned** at the beginning of activity by the component and are **deassigned** at the end of activity" (emphases added)).

In contrast, Gilbrech relates to "techniques for implementing secure **virtual private networks** over public or otherwise insecure data communications infrastructures" (emphasis added; Col. 1, lines 15-18). A cable data network is wholly different from a secure virtual private network, and one having ordinary skill in the art would not connect to a CATV head end and use RF cable modems to achieve a secure virtual private network environment of Gilbrech. Further, there is no motivation or suggestion to combine Schutte's cable routers or RF modems with Gilbrech's secure virtual private network.

Even if Schutte could be combined with Gilbrech, a *prima facie* case of obviousness has not been established because the hypothetical Gilbrech-Schutte combination still does not teach or suggest all the elements of independent claims 1, 10, and 19. For example, in addition to the Office's admission that Gilbrech does not disclose maintaining a persistent connection between the agent and the server (P. 5, line 13 of this Office Action), Gilbrech does not teach or suggest "**receiving a request** from the device across the public network **at the server** to establish a connection between the device and the private network" (emphases added) as recited in claim 1.

In fact, the Office apparently mistakenly equates "request **initiates from a router**" (P. 4, last line of this Office Action) with a request **initiated by the device** "to establish a connection between the device and the private network", as in claim 1. The router in Gilbrech (which the Office equates to as server component) simply routes or directs the data packets. (*See, e.g.*, Col. 8, lines 29-38 of Gilbrech, stating that "The data packet originates from a source 500 and propagates from the

sources site **through its associated router** to generate IP data packet 510. … The data packet 510 is then examined **by the VPN Unit** which determines whether the data packet is traffic between members of an identified VPN group." (emphases added).)

Further, Gilbrech does not teach or suggest "determining, **by the server**, if the device is **authorized to connect** with the private network" (emphases added) as recited in claim 1. On the contrary, Gilbrech teaches that the **VPN Unit** (which the Office equates to as the **agent component**; P. 4 of this Office Action), and not the server, implements the authentication procedure. (See, e.g., Col. 2, lines 57-63 of Gilbrech, stating that "To ensure secure data communications between members of the same VPN group, the site protector or **VPN Unit** implements … various combinations of compression, encryption and authentication" (emphasis added); see also, Col. 6, lines 56-58 of Gilbrech, stating that "The receiving **VPN Unit** will handle the process of decrypting and authenticating the packet before forwarding it toward the destination endstation." (emphasis added).)

Thus, there is simply no teaching or suggestion in Gilbrech of "receiving a request from the device across the public network … at the server" and "determining, by the server, if the device is authorized to connect with the private network" as recited in claim 1, and Schutte is neither asserted to show such claimed feature nor does so teach or suggest.

Furthermore, contrary to the Office's contention (P. 5, lines 14-17 of this Office Action), Schutte does not teach or suggest "establishing a persistent connection from an agent component to a server" as recited in claim 1. In fact, Schutte expressly discloses that the RF modems and the hosts in the cable data network are "**intermittently active**" (see, e.g., Col. 6, lines 29-35, stating that "components that are **intermittently active**, such as the RF modems and the hosts attached to them"

(emphasis added)). Thus, the RF modems in Schutte do not "establish a persistent connection" with the cable head end, and the Office's interpretation is contrary to the express teachings of Schutte.

Therefore, the hypothetical Gilbrech-Schutte combination does not teach or suggest each and every element of claim 1 and claim 1 should be in condition for allowance.

Independent claims 10 and 19 recite similar features to those in claim 1 and are patentably distinguishable over the hypothetical Gilbrech-Schutte for analogous reasons to those discussed for independent claim 1. For example, claim 10 recites, among other features: "establish a persistent connection from a second network component … to a first network component; receive a request from a device across a public network at the second network component …; determine, by the second network component, if the device is authorized to connect with the private network …."

Claim 19 recites, among other features: "a server component configured to … determine if a device is authorized to connect with a private network; and an agent component configured to establish a persistent connection to the server component …." Thus, independent claim 10 and 19 should also be in condition for allowance.

Since claims 2-3, 5-9, 12, 14-18, 20-28, and 30-39 depend generally from independent claims 1, 10 or 19, these dependent claims are patentably distinguishable over Gilbrech or Schutte, either alone or in combination for at least the reasons provided above for claim 1.
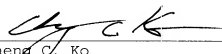
Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific

rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants ask that all claims be allowed. Please apply applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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